

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

In re:)
)
 Dennis Schuessler and Kathleen Schuessler,) Case No. 13-40774-399
 Debtors,)
) Chapter 13
 vs.)
) Adversary No. 14-4082-399
 _____)
)
 Dennis Schuessler and Kathleen Schuessler,) Affidavit
 Plaintiffs,)
)
 v.)
)
 GMAC Mortgage Corporation,)
)
 Defendant.)
)

AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT

I, Randall T. Oettle, being first duly sworn, do state under oath.

1. I am an attorney licensed to practice law in the State of Missouri, employed by the R.O.C. Law counsel of record for Debtors/Plaintiffs in the above-captioned case. This Affidavit is given in support of Debtors/Plaintiffs' Request to Clerk to Enter Default and Motion for Default Judgment against GMAC Mortgage Corporation. ("Defendant") pursuant to Federal Rule of Bankruptcy Procedure 7055 and Rule 55 of the Federal Rules of Civil Procedure.

2. The instant Adversary Complaint, brought pursuant to 11 U.S.C. Sections 506, 1322 and 1327, was filed against Defendant on or about April 29, 2014. The Summons was issued on April 29, 2014. On May 6, 2014, Debtors/Plaintiffs served Defendant with a copy of the Summons and Notice in an Adversary Proceeding and the Adversary Complaint, by United States Certified Mail, postage prepaid, as appears on the Certificate of Service filed with the Court on May 6, 2014, executed by Randall T. Oettle in compliance with Federal Rule of Bankruptcy Procedure 7004(b).

3. Defendant is not in the military service and is not an infant or incompetent to the best of Affiant's knowledge.

4. The time within which Defendant may answer or otherwise respond to the Adversary Complaint has expired, as 30 days have passed since the issuance of the Summons. Defendant

has failed to answer or otherwise respond and the time for Defendant to answer or otherwise response has not been extended.

Respectfully Submitted,

/s/ Randall T. Oettle
Randall T. Oettle, MoBar#46820
Attorney for Movant/Debtor
12964 Tesson Ferry, Suite B
St. Louis, MO 63128
Phone: 314-843-0220
Fax: 314-843-0048
Roettle@RocLaw.com

CERTIFICATE OF SERVICE

The undersigned certifies that on the 10th day of June, 2014, the foregoing Affidavit was served by electronic notification or by placing a copy of the same in the United States Mail, postage prepaid, and addressed to those not electronically notified. Service List:

Serve:

GMAC Mortgage
Barry Bier CEO
818 Library Street
Reston, VA 20190

CSC Lawyers Incorporated
Registered Agent for GMAC Mortgage
221 Bolivar
Jefferson City, MO 65101

John V. LaBarge, Jr.
P.O. box 430908
St. Louis, MO 63143

/s/ Randall T. Oettle
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